

REMARKS

The Office Action mailed May 1, 2009 has been reviewed and reconsideration of the above-identified application, as amended, in view of the following remarks, is respectfully requested

Claims 1, 3-11, 13, 14, 21, 23-31, 22 and 38-40 are pending and stand rejected.

Claims 1 and 21 are independent claims.

Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-32 and 33 have been amended.

Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-31 33 and 38-40 are objected to for including informalities. Claims 1-5, 8-25 and 28-40 stand rejected under 35 USC §102(e) as being anticipated by Siah (International Patent Application Publication no. WO 02/15024). Claims 6-7 and 26-27 stand rejected under 35 USC §103(a) as being unpatentable over Siah in view of Official Notice.

With regard to the objection to Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-31 33 and 38-40 for including informalities, applicant thanks the examiner for his observation and has amended the claims to correct the typographical error noted.

For the amendments to the amendments, applicant submits that the reason for the objection has been overcome.

With regard to the rejection of Claims 1-5, 8-25 and 28-40 under 35 USC §102(e) as being anticipated by Siah, applicant respectfully disagrees with the reason for the rejection and explicitly traverses the rejection of the claims.

However, in order to advance the prosecution of this matter, independent claims 1 and 21 have been amended to further recite "a location defining a pre-selected location containing information upon which said means operates." No new matter has been added. Support for the amendment may be found at least in Table 2 and the associated description of same in the written description.

In maintaining the rejection of the claims, the Office Action refers to Siah for teaching a local data base (that may be stored in a flash memory 219 or in an additional

memory, e.g., a hard drive) and that none of the claims include a limitation of determining a DVD signature wherein the database includes a method for determining a DVD signature. The Office Action further states that assuming the title identification of a DVD can be equated with a DVD signature, Siah discloses a method for determining the DVD signature/identification (see page 11, lines 16-17). (see page 2, instant OA).

Siah discloses a system including a DVD client device that determines a DVD signature from navigation information read from a DVD and provides the determined DVD signature to a DVD information server that is used to identify particular web content that relates to the DVD. The web content may include promotional material specific to the DVD. Siah in addition discloses that the DVD signature is used to access a local data base that may include a record corresponding to the DVD (see page 11 and the description associated with Figure 11). If a record associated with the DVD signature is not found, then the DVD signature is provided to a DVD server to update the information in the local data (see, for example, page 11, line 7). The updated information includes URL values (see page 11, line 24).

Siah further discloses that different DVD signatures may be stored for the same DVD title (see page 14, line 3). The different DVD signatures may be used in different regions or to identify different version of the content of the DVD within a same region.

Siah further discloses two different methods of determining the DVD signature. The different methods relate to using information from the C-PBIT. (see Figure 13 and 14). In addition Siah discloses "[a] myriad of possible calculations including but not limited to other calculations based on Boolean and arithmetic operations on navigation data, preferably C-PBIT data are possible." (see page 15, lines 25-27).

However, Siah is silent with regard to these methods of determining title identification (which is assumed comparable to the DVD signature of Siah) being included in the local database, as is recited in the claims.

Hence, Siah fails to disclose an element recited in the claims.

Notwithstanding the arguments above, applicant has elected to amend the independent claims to further recite the local data base includes a location defining a pre-selected location containing information upon which said means operates. For example,

the specification teaches

"The deriving method column specifies a method of deriving the Title ID, e.g., read the Title ID directly from a specific location of the disc or use a particular algorithm, as indicated in the algorithm type column, to generate the Title ID. A list of algorithms corresponds to those algorithm types in Table 2 is pre-stored in the player, so that the player can use the indicated algorithm and the relevant data to compute and generate the Title ID. The URL of related web site column indicates the corresponding URL. For example, if the location column indicates "BCA" and the deriving method column indicates "Read", player 10 will try to read the BCA from the disc to find its Title ID. However, not every DVD has BCA and also not every DVD player can read BCA. In this case, alternative method such as "Generate ID" may be used. In such case, player 10 will try to use the indicated algorithm to generate the Title ID based on the information in the specified location (e.g.,VMGIVIAT)."

Siah discloses that the DVD signature is preferably based on the C-PBIT, which is a known and fixed location as defined in the DVD Specification for Read-Only Disc" (see page 7, lines 25-26, Siah). Siah fails to provide any teaching that the local data base includes a location that defines a pre-selected location where information for computing the DVD signature (Title_ID) may be found. Rather Siah discloses that the C-PBIT is used and the location of the C-PBIT is defined in known documents. Hence, there is no need to include any information in the local database to define where the C-PBIT is stored on the disk.

A claim is anticipated if an only if each of the elements recited in claims may be found in a single prior art reference.

In this case, Siah cannot be said to anticipate the invention claimed, as recited in claims 1 and 21, as Siah fails to the claim the element of a means for determining/generating a title identification or the location where information that is used by the determining/generating means may find data upon which to operate.

With regard to the rejection of the remaining claims, these claims depend from independent claims 1 and 21, and, hence, these claims are not anticipated by Siah for at least their dependency upon an allowable base claim.

With regard to the rejection of claims 6, 7, 26 and 27 as being rejected under 35

USC §103 over Siah in view of Official Notice, applicant respectfully disagrees with and explicitly traverses the rejection of the aforementioned claims. As shown above, Siah fails to disclose a material element recited in the independent claims from which the aforementioned claims depend and the Official Notice taken provides no suggestion or teaching to correct the deficiency found to exist in Siah.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations

In this case, the combination of Siah and Official Notices fails to disclose a material element recited in the independent claims and thus, the combination of Siah and Official Notice cannot be said to render obvious the subject matter recited in the aforementioned dependent claims.

For the amendments made to the claims, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the claims are in allowable form and the issuance of a Notice of Allowance is respectfully requested.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

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